

REMARKS

Applicants respectfully requests reconsideration of this application as amended. Claims 8, 10, 14, and 24 have been amended to present the claims in correct form. Applicants respectfully requests the Examiner to accept the proposed amendments. Claims 5, and 21-23 have previously been cancelled without prejudice. No claims have been added. Therefore, claims 1-4, 6-20, and 24-29 are now are presented for examination.

35 U.S.C. § 102 Rejection

Claims 1-2, 4, 6-12, 14-18, 20, 24, and 26-29 stand rejected under 35 U.S.C. §102(e), as being anticipated by Kenner et al., U.S. Patent No. 6,269,394 (“Kenner”).

Applicants submit that Kenner discloses a “system and method for delivery of video data over a computer network” (Title; Abstract). Kenner further discloses “[w]hen *the user requests a desired video clip, the request is processed by a primary index manager (“PIM”) via a Local Search and Retrieval Unit (“SRU”) [and] . . . [b]efore the message is communicated to the PIM, the local SRU checks its own storage to see whether the requested video clips are available locally . . . [t]he PIM determines the extended SRU where the audio-visual data is stored and passes this information to a Data Sequencing Interface (“DSI”) . . . [which] collects the video clips and downloads the clips to the user’s terminal . . . [t]he user may then view, copy, or print the video clip as desired”* (Abstract). Stated differently, Kenner discloses attempting to provide video clips “stored locally” and, if such attempt fails, to provide “a system whereby remotely stored audio and video content can be requested and retrieved from a server selected so as to maximize network capacity and minimize transmission delays” (col. 1, lines 11-21).

Claim 1, in pertinent part, recites “receiving a request for data from a requesting system, the request having an address; receiving an identifier corresponding to the address from an edge server of a plurality of edge servers, the edge server having the requested data.” (emphasis provided). The Examiner, in the final Office Action, mailed on June 28, 2004, indicates that “Kenner has a requesting system which specifies an address, the address being a network identifier used by the PIM to locate a server...” (Office Action, page 15, paragraph 1). However, Kenner in (col. 12 line 57 – col. 13 line 8) does not teach or reasonably suggest receiving an identifier, as recited by claim 1. Instead, Kenner discloses “once the user has finally determined which video clips are to be retrieved, *the PIM identifies the most appropriate and efficient location* for the DSI and then creates the DSI at this location.” (col. 13, lines 2-5; emphasis provided). The *PIM* in Kenner *identifying the most appropriate location* is not the same as receiving an identifier, as recited in claim 1. For example, when the requesting in claim 1 makes a request for data, the identifier received corresponds to the address of the edge server where the requested data is located. In contrast, the PIM in Kenner identifies the most appropriate location to retrieve the data, however Kenner does not disclose assigning the appropriate location an identifier. Accordingly, for at least the reasons set forth above, Applicants respectfully request the withdrawal of the rejection of claim 1 and its dependent claims.

With regard to claims 9, 14, 17, 24 and 27, they contain limitations similar to those of claim 1 and accordingly, Applicants request the rejection of claims 9, 14, 17 and 24 and their dependent claims be withdrawn.

35 U.S.C. § 103 Rejection

Claims 3, 13, 19, and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kenner et al., in view of Alkhatib, U.S. Patent No. 6,119,171 (“Alkhatib”).

With regard to claims 3, 13, 19 and 25, they depend from one of independent claims 1, 9, 17 and 24 and thus, include the limitations of the independent claim from which they depend. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 3, 13, 19 and 25.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.


Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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